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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

-000-

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TANIKA ARMSTRONG,
a/k/a "Tanika Montgomery,"

Defendant.

CASE NO: 2:16-CR-00083-JCM-NJK

**STIPULATION TO CONTINUE
SENTENCING HEARING
[SECOND REQUEST]**

It is hereby stipulated and agreed, by and between Daniel G. Bogden, United States Attorney, through Patrick Burns, Assistant United States Attorney, and Josh Tomsheck, Esq., counsel for defendant Tanika Armstrong, that sentencing in the above-captioned matter, previously scheduled for April 3, 2017, at 10:00 a.m., be vacated and continued until a time convenient to the Court.

This Stipulation is entered into for the following reasons:

1. Counsel for the Government is scheduled to be out of the jurisdiction for a training the entire week of April 3, 2017.

2. Armstrong's co-defendant Willie James Montgomery is currently scheduled for sentencing on April 10, 2017. Assuming it is convenient for the Court, continuing Defendant Armstrong's sentencing to the same day would save the Court resources. A consolidated hearing would avoid the Court having to twice examine the underlying facts of this case prior to a

1 sentencing hearing, and instead dispose of both defendants' sentencing hearings on the same day.
2 Thus, consolidating the two hearings would save the Court judicial time and resources.

3 3. Defendant Armstrong does not oppose this request.

4 4. Denial of this request could result in a miscarriage of justice, taking into account
5 the exercise of due diligence.

6 5. This is the second request for a continuance of Defendant Armstrong's sentencing
7 filed in this matter.

8 Dated this 8 day of March, 2017

9 DANIEL G. BOGDEN
10 United States Attorney

11 By: /s/
12 JOSH TOMSHECK, Esq.
13 Counsel for Defendant ARMSTRONG

11 By: /s/
12 PATRICK BURNS
13 Assistant United States Attorney

**UNITED STATES DISTRICT COURT
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UNITED STATES OF AMERICA,

Plaintiff,

vs.

TANIKA ARMSTRONG,
a/k/a "Tanika Montgomery,"

Defendant.

CASE NO: 2:16-CR-00083-JCM-NJK

FINDINGS OF FACT AND ORDER

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for the Government is scheduled to be out of the jurisdiction for a training the entire week of April 3, 2017.

2. Armstrong's co-defendant Willie James Montgomery is currently scheduled for sentencing on April 10, 2017. Assuming it is convenient for the Court, continuing Defendant Armstrong's sentencing to the same day would save the Court the resources. A consolidated hearing would avoid the Court having to twice examine the underlying facts of this case prior to a sentencing hearing, and instead dispose of both defendants' sentencing hearings on the same day. Thus, consolidating the two hearings would save the Court judicial time and resources.

3. Defendant Armstrong does not oppose this request.

4. Denial of this request could result in a miscarriage of justice, taking into account the exercise of due diligence.

5. This is the second request for a continuance of Defendant Armstrong's sentencing filed in this matter.

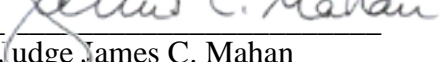
For all of the above-stated reasons, the ends of justice would be served best by a

1 continuance of the sentencing hearing date.

2 **ORDER**

3 IT IS FURTHER ORDERED that the sentencing hearing in *United States v. Tanika*
4 *Armstrong*, 2:16-CR-00083-JCM-NJK, previously scheduled for April 3, 2017, at 10:00 a.m. is
5 vacated and continued until **Monday, April 10, 2017 at 11:00 a.m.**

6 Dated March 10, 2017.

7
8
9 By: 
10 Judge James C. Mahan
United States District Court Judge

Certificate of Service

I, Veronica Criste, hereby certify that I am an employee of the United States Department of Justice, and that on this day I served a copy of the following: STIPULATION TO CONTINUE SENTENCING HEARING, upon counsel for all defendants appearing in this matter via the CM/ECF system, by electronically filing said document.

Dated: March , 2017

/s/ Veronica Criste
Legal Assistant to PATRICK BURNS
Assistant United States Attorney
District of Nevada